

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**WILLIAM J. SQUIRES, ADC #144213,
and AARON J. TANNER**

PLAINTIFFS

VS.

4:13-CV-00519-BRW-JTK

BRUCE PENNINGTON, *et al.*

DEFENDANTS

ORDER

I have received the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Jerome T. Kearney and the objections thereto.¹ After a *de novo* review of the entire record, I adopt as my findings the Proposed Findings and Recommended Disposition in their entirety.

Accordingly, Defendants' Motion for Summary Judgment (Doc. No. 40) is GRANTED, and Plaintiffs' Complaint against Defendants (Doc. No. 2) is DISMISSED without prejudice, for failure to exhaust.

I certify under 28 U.S.C. § 1915(a)(3) that an *in forma pauperis* appeal from this Order and the Judgment to be entered forthwith would not be taken in good faith.

IT IS SO ORDERED this 23rd day of October, 2014.

/s/ Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹ Doc. Nos. 47, 48.